IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(C).No. 24808 of 2006(C)

PETITIONER:

LALKUMAR P., S/O. PETER JOHN,
AGED 31 YEARS, MANGALAMUTTAM, KOTUVILA P.O.,
KOLLAM-691 502.

BY ADV. SRI.C.A.CHACKO
SMT.C.M.CHARISMA
SRI.N.A.SHAFEEK

RESPONDENTS:
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1. KERALA PUBLIC SERVICE COMMISSION,
REP. BY SECRETARY, P.S.C. OFFICE, PATTOM,
THIRUVANANTHAPURAM.

2. THE SECRETARY,
KERALA PUBLIC SERVICE COMMISSION, P.S.C. OFFICE,
PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 24808 OF 2006 C
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Dated this the 22nd January, 2007

J U D G M E N T

The petitioner is included as rank No. 164 in the rank list published by the Public Service Commission for appointment to the post of Sub Inspector of Police (General Executive Branch) in the Police Department. The rank list came into force on 19-8-2006. The question for consideration is whether the petitioner is eligible to be considered for the purpose of reservation and rotation while advising candidates as one belonging to Latin Catholic community or a person converted to Christianity and therefore to be accommodated against the point reserved for 'Other Christians'. The educational records of the petitioner would show that he, by birth, belongs to Parava community among Hindus and had, later on, converted to Christianity. The Public Service Commission has taken the view that a person who embraces a different religion on his volition, has got the right to claim that he belongs to the religion to which he got converted; but he cannot make a further claim that he

belongs to a particular caste or segment in that religion. The fact that the petitioner initially belonged to Parava community among Hindus, and therefore, he can claim the benefits made available to Scheduled Caste community, will not make him eligible to say that he should be treated to have been converted to Latin Catholic community. The conversion can only be to Christian religion and not to a particular segment or denomination among Christians. The above view is in tune with the authoritative pronouncements by the Hon'ble Supreme Court on the subject. He cannot be advised for appointment against the roster point reserved for Latin Catholic community. His case can be considered according to his rank only against the roster point earmarked for OX candidates. I am, therefore, not inclined to grant the reliefs prayed for by the petitioner.

The writ petition fails and is dismissed.

K.K. DENESAN
JUDGE

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